

MONDAY, MARCH 20, 1989

TWENTY-SECOND LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Speaker Pro Tempore DeBerry.

The proceedings were opened with prayer by Bill Griffith, Round Lick Baptist Church, Watertown, Tennessee.

Representative Joe Bell led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 99

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 99.

REGULAR CALENDAR

*House Bill No. 0654 -- Taxes, Amusement -- Removes public golf courses and country golf, tennis and yacht clubs from exclusion from amusement tax. Amends TCA 67-6-330.

Rep. Byrd moved that House Bill No. 654 be passed on third and final consideration.

Rep. Burnett moved the previous question, which motion prevailed.

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Thereupon, Rep. Byrd moved that House Bill No. 654 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	90
Noes.	7

Representatives voting aye were: Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Hawkins, Head, Henry (Putnam), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wood, Yelton, Mr. Speaker Murray -- 90.

Representatives voting no were: Anderson, Duer, Harrill, Henry (Roane), Moody, Severance, Wolfe -- 7.

A motion to reconsider was tabled.

***House Bill No. 0417 -- Telecommunications --** Authorizes mayor of certain municipalities to appoint certain members of board of directors of emergency communications districts. Amends TCA 7-86-105.

Rep. Miller moved that House Bill No. 417 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend House Bill No. 417 by deleting in its entirety all the language following the enacting clause,

and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-86-105(b), is amended by adding the following language as a new subdivision (3):

(3) In emergency communication districts established by counties with a population greater than three hundred twenty thousand (320,000) and less than seven hundred fifty

thousand (750,000) according to the 1980 federal census or any subsequent federal census except in counties with a metropolitan form of government, the mayor and the police chief of the municipality or his representative with the largest population in the district, the county sheriff in the district and the county executive in the district shall be members of the board of directors of the district. If at the time this act takes effect, any person or persons holding any one of the aforesaid four (4) positions are not members of the board of directors of the district, then the board shall be immediately expanded to include such person or persons. As the terms of the other existing members expire, the board will be correspondingly reduced down to a nine (9) member board, provided that the aforesaid four (4) positions remain membership positions on the board of directors of the district.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Miller moved that House Bill No. 417, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Bill No. 0357 -- Annexation -- Prohibits certain municipalities and public corporations from using quo warranto proceeding to contest annexation. Amends TCA 6-51-103.

Rep. Miller moved that House Bill No. 357 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend House Bill No. 357 by deleting all the language in its entirety following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 6-51-103, is amended by adding the following new sentence to the end of subsection (a)(1)(A):

Notwithstanding the provisions of any other section in this chapter, for purposes of this section an "aggrieved owner of property" shall not include any municipality or public corporation created and defined under §7-82-101 et seq., which owns property bordering or lying within the territory which is the subject of an annexation ordinance requested by the remaining property owner or owners of said territory and whose property and services are to be allocated and conveyed in accordance with §§6-51-111, 6-51-112 or 6-51-301 or any contractual arrangement otherwise providing for such allocation and conveyance.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Miller moved that House Bill No. 357, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	8
Present and not voting	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Garrett, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson

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(Hamilton), Robinson (Washington), Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Mr. Speaker Murray -- 87.

Representatives voting no were: Bittle, Callicott, Givens, Head, Niceley, Scruggs, Severance, Yelton -- 8.

Representatives present and not voting were: Nuber -- 1.

A motion to reconsider was tabled.

***House Bill No. 0084 -- Motor Vehicles -- Requires automobile mechanics to display certificate of training in public view.**

Rep. Love moved that House Bill No. 84 be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

Amendment No. 1

Amend House Bill No. 84 by deleting from the second sentence of Section 2(a) the language "governmental entity,".

On motion, Amendment No. 1 was adopted.

Rep. Napier moved to amend as follows:

Amendment No. 2

Amend House Bill No. 84 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply to anyone engaged in employment as a mechanic on motor vehicles on or before July 1, 1989.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Love moved passage of House Bill No. 84, as amended, on third and final consideration which motion failed by the following vote:

Ayes.	48
Noes.	44
Present and not voting.	3

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Representatives voting aye were: Armstrong, Bell, Bivens, Burnett, Byrd, Clark, Crain, Cross, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Ellis, Gaia, Garrett, Good, Hassell, Herron, Hillis, Holt, Huskey, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, McDaniel, Miller, Naifeh, Napier, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Starnes, Turner (Hamilton), Turner, C. (Shelby), West, Wheeler, Williams, Mr. Speaker Murray -- 48.

Representatives voting no were: Anderson, Bittle, Bragg, Buck, Cain, Callicott, Chiles, Coffey, Collier, Curlee, Davis (Gibson), Duer, Givens, Gunnels, Halteman, Harrill, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Hobbs, Holcomb, Hubbard, Jackson, Kent, McAfee, Moody, Moore (Lawrence), Niceley, Nuber, Odom, Peroulas, Pinion, Scruggs, Severance, Sipes, Stallings, Stamps, Ussery, Whitson, Winningham, Wolfe, Wood -- 44.

Representatives present and not voting were: Turner, L. (Shelby), Webb, Yelton -- 3.

Pursuant to Rule No. 39, House Bill No. 84, having failed to receive a constitutional majority, was re-referred to the Committee on Calendar and Rules.

***House Bill No. 0063 -- Landlord and Tenant -- Requires lease to state that landlord is not responsible for insurance on tenant's personal property. Amends TCA 66-28-201.**

Rep. Love moved that House Bill No. 63 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	80
Noes.	11
Present and not voting.	5

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Callicott, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Good, Halteman, Harrill, Hassell, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holt, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Severance, Shirley, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 80.

Representatives voting no were: Chiles, Givens, Gunnels, Haun, Hawkins, Hubbard, Niceley, Scruggs, Sipes, Stamps, Ussery -- 11.

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Representatives present and not voting were: Cain, Head, Holcomb, Robinson (Hamilton), Williams -- 5.

A motion to reconsider was tabled.

Senate Bill No. 1191 -- Motor Vehicles -- Allows for suspension of driver's license under certain circumstances; extends period for return of funds received for violations. Amends TCA 55-7-206, 55-10-502, 55-50-604.

Further consideration of Senate Bill No. 1191, previously considered on March 15, 1989, at which time it was substituted for House Bill No. 657 and reset to the Calendar for March 20, 1989.

Rep. Robinson (Davidson) moved that Senate Bill No. 1191 be passed on third and final consideration.

Rep. Rhinehart moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 1191 by inserting between the first and second sentence of the amendatory language of SECTION 1 the following new sentence:

Provided, however, no license shall be suspended pursuant to this subdivision for failure to appear in court on or failure to pay a parking ticket or citation or for a violation of Tennessee Code Annotated, Section 55-9-603.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Robinson (Davidson) moved that Senate Bill No. 1191, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	84
Noes.	9
Present and not voting.	3

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Garrett, Givens, Good, Haldeman, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson

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(Washington), Scruggs, Shirley, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 84.

Representatives voting no were: Callicott, Gunnels, Haun, Jones, R. (Shelby), Niceley, Severance, Stamps, Turner, L. (Shelby), Whitson -- 9.

Representatives present and not voting were: Holcomb, Moody, Robinson (Hamilton) -- 3.

A motion to reconsider was tabled.

House Bill No. 0899 -- Day Care -- Revises provisions for certain day care facilities. Amends TCA, Title 49, Ch. 1; Title 71, Ch. 3.

Rep. Davidson moved that House Bill No. 899 be passed on third and final consideration.

Rep. Davidson moved to amend as follows:

Amendment No. 1

Amend House Bill No. 899 in amendatory subsection (d) of Section 2 and in amendatory item (24) in Section 3 by deleting the words "religious school organizations" and substituting instead the following:

church-related schools, as defined by Section 49-50-801.

On motion, Amendment No. 1 was adopted.

Rep. Purcell moved to amend as follows:

Amendment No. 2

Amend House Bill No. 899 by deleting Section 1.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Davidson moved that House Bill No. 899, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	73
Noes	23
Present and not voting	2

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Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Burnett, Byrd, Callicott, Chiles, Coffey, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Duer, Ellis, Gaia, Garrett, Good, Halteman, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Kent, King, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Rhinehart, Ridgeway, Robinson (Davidson), Scruggs, Severance, Shirley, Sipes, Stamps, Turner, C. (Shelby), Ussery, Webb, Wheeler, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 73.

Representatives voting no were: Buck, Cain, Clark, Crain, DeBerry, Givens, Gunnels, Haun, Herron, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, Kisber, Pruitt, Purcell, Robinson (Washington), Stallings, Starnes, Turner (Hamilton), Turner, L. (Shelby), West, Whitson, Williams -- 23.

Representatives present and not voting were: DePriest, Robinson (Hamilton) -- 2.

A motion to reconsider was tabled.

House Bill No. 0700 -- Election Laws -- Changes deadline for withdrawal of candidate for election. Amends TCA 2-5-101, 2-5-204.

Rep. Byrd moved that House Bill No. 700 be passed on third and final consideration.

Rep. Byrd moved to amend as follows:

Amendment No. 1

Amend House Bill No. 700 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 2-5-101(g), is amended by deleting subdivision (3) in its entirety.

On motion, Amendment No. 1 was adopted.

Rep. C. Turner (Shelby) moved to amend as follows:

Amendment No. 2

Amend House Bill No. 700 by adding the following language as a new section immediately preceding the effective date section and by renumbering the effective date section:

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SECTION ____ Tennessee Code Annotated, Section
2-5-102(g)(1)(E), is amended by deleting the following
language:

only one (1) candidate or

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Byrd moved that House Bill No. 700, as amended,
be passed on third and final consideration, which motion prevailed
by the following vote:

Ayes.	91
Noes.	6

Representatives voting aye were: Anderson, Armstrong, Bell,
Bittle, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey,
Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke),
Davis (Gibson), Davis (Knox), DeBerry, DePriest, Ellis, Gaia,
Garrett, Givens, Good, Gunnels, Halteman, Hassell, Hawkins, Head,
Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson,
Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber,
Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore
(Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips,
Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson),
Robinson (Hamilton), Robinson (Washington), Scruggs, Severance,
Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton),
Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West,
Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton,
Mr. Speaker Murray -- 91.

Representatives voting no were: Bivens, Callicott, Duer,
Harrill, Haun, Henry (Roane) -- 6.

A motion to reconsider was tabled.

House Bill No. 0691 -- Law Enforcement -- Authorizes certain law
enforcement officials to petition certain courts for permission to
exchange firearms. Amends TCA 39-6-1708.

Rep. Kent moved that House Bill No. 691 be passed on third and
final consideration, which motion prevailed by the following vote:

Ayes.	95
Noes.	1

Representatives voting aye were: Anderson, Bell, Bittle,
Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark,
Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis
(Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer,
Ellis, Gaia, Garrett, Good, Gunnels, Halteman, Harrill, Hassell,

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Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives voting no were: Givens -- 1.

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

MR. SPEAKER: Pursuant to Rule No. 31, I wish to express a desire to change my original stand from not voting to aye on House Bill No. 691 and have this statement entered in the Journal.

Rep. Joseph Armstrong

REGULAR CALENDAR, CONTINUED

***House Bill No. 0269** -- Municipal Government -- Revises population and application requirements for incorporation under city manager-commission charter; revises various provisions of charter. Amends TCA, Title 6, Chs. 18--23.

Rep. Kisber moved that House Bill No. 269 be passed on third and final consideration.

Rep. Kisber moved to amend as follows:

Amendment No. 1

Amend House Bill No. 269 by deleting Section 1 in its entirety and by renumbering subsequent sections accordingly.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Kisber moved that House Bill No. 269, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	78
Noes.	17
Present and not voting.	1

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Representatives voting aye were: Anderson, Bell, Bivens, Bragg, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Ellis, Gaia, Garrett, Givens, Good, Halteman, Hassell, Haun, Hawkins, Head, Henry (Putnam), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Starnes, Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Wheeler, Williams, Wood, Mr. Speaker Murray -- 78.

Representatives voting no were: Armstrong, Buck, Crain, Duer, Gunnels, Harrill, Henry (Roane), Kent, Moody, Moore (Shelby), Stamps, Ussery, Whitson, Winningham, Wix, Wolfe, Yelton -- 17.

Representatives present and not voting were: Robinson (Hamilton) -- 1.

A motion to reconsider was tabled.

***House Bill No. 0271** -- Municipal Government -- Authorizes merger of contiguous municipalities by various methods. Amends TCA, Title 6, Ch. 51.

Rep. Kisber moved that House Bill No. 271 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend House Bill No. 271 in Section 1 by deleting Item 3 of Section 6-51-403 in its entirety.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Kisber moved that House Bill No. 271, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	78
Noes.	14
Present and not voting.	4

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis,

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Garrett, Good, Gunnels, Halteman, Harrill, Haun, Hawkins, Head, Henry (Putnam), Herron, Hillis, Holt, Hubbard, Huskey, Jackson, Jones, U. (Shelby), Kent, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sipes, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wolfe, Wood, Mr. Speaker Murray -- 78.

Representatives voting no were: Callicott, Gaia, Givens, Henry (Roane), Jones, R. (Shelby), Moore (Shelby), Niceley, Ridgeway, Shirley, Stamps, Turner, L. (Shelby), Whitson, Wix, Yelton -- 14.

Representatives present and not voting were: Hassell, Hobbs, Holcomb, Kernell -- 4.

A motion to reconsider was tabled.

House Bill No. 0967 -- Mortgages -- Shifts incidence of mortgage recording tax from mortgagee to mortgagor. Amends TCA, Title 67, Ch. 4.

Rep. Kisber moved that House Bill No. 967 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	91
Noes.	7

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

Representatives voting no were: Harrill, Herron, Moody, Niceley, Robinson (Washington), Shirley, Turner, L. (Shelby) -- 7.

A motion to reconsider was tabled.

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***Senate Bill No. 0318 -- State Employees --** Allows state employees to get three days paid leave if stepparent dies. Amends TCA 8-50-113.

Further consideration of Senate Bill No. 318, previously considered on March 16, 1989, at which time it was substituted for House Bill No. 983, Amendment No. 1 was adopted, and the bill was reset to the Calendar for March 20, 1989.

Rep. Naifeh moved that Senate Bill No. 318 be passed, as amended, on third and final consideration, which motion prevailed by the following vote:

Ayes.	88
Noes.	5
Present and not voting.	2

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holt, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Nuber, Odom, Peroulas, Phillips, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 88.

Representatives voting no were: Callicott, Hubbard, Niceley, Sipes, Stamps -- 5.

Representatives present and not voting were: Holcomb, Pinion -- 2.

A motion to reconsider was tabled.

House Bill No. 0706 -- Jails, Local Lock-ups -- Permits locally housed inmates to perform labor on behalf of charitable or nonprofit corporation. Amends TCA 41-2-148, 41-3-106.

Further consideration of House Bill No. 706, previously considered on March 16, 1989, at which time it was reset to the Calendar for March 20, 1989.

On motion, House Bill No. 706 was made to conform with Senate Bill No. 48.

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On motion, **Senate Bill No. 48**, on same subject, was substituted for House Bill No. 705.

Rep. Kent moved that Senate Bill No. 48 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	96
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 96.

A motion to reconsider was tabled.

House Bill No. 0832 -- Public Officials -- Allows county officials to receive official payments by checks written in such officials' name. Amends TCA 9-1-108.

Further consideration of House Bill No. 832, previously considered on March 16, 1989, at which time it was reset to the Calendar for March 20, 1989.

Rep. Clark moved that House Bill No. 832 be reset to the Calendar for Thursday, March 23, 1989, which motion prevailed.

***House Bill No. 0015 -- Game and Fish Laws --** Grants authority to any employee of premier tourist resort city to enforce limits, licensing and permit requirements for trout fishing. Amends TCA 70-2-219.

Further consideration of House Bill No. 15, previously considered on March 16, 1989, at which time it was reset to the Calendar for March 20, 1989.

On motion, House Bill No. 15 was made to conform with Senate Bill No. 27.

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On motion, **Senate Bill No. 27**, on same subject, was substituted for House Bill No. 15.

Rep. Huskey moved that Senate Bill No. 27 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	97
Noes.	1

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

Representatives voting no were: Ridgeway -- 1.

A motion to reconsider was tabled.

House Joint Resolution No. 0152 -- Memorials, Condolence -- Honors memory of Joseph S. Slate, former Assistant Commissioner of Department of Labor.

Further consideration of House Joint Resolution No. 152, previously considered on March 16, 1989, at which time it was reset to the Calendar for March 20, 1989.

Rep. Ellis moved that House Joint Resolution No. 152 be adopted, with the request that all members voting aye be added as sponsors, which motion prevailed by the following vote:

Ayes.	99
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry

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(Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 99.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

March 20, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 471; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 0471 -- Education, State Board of -- Changes required meeting times. Amends TCA 49-1-301.

MESSAGE FROM THE SENATE

March 20, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 657; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

*Senate Bill No. 0657 -- Election Laws -- Requires candidates for office of school superintendent to possess certificate of qualification before election qualification deadline. Amends TCA 49-2-301.

CONSENT CALENDAR

House Bill No. 0701 -- Election Laws -- Requires candidates for office of school superintendent to possess certificate of qualification before election qualification deadline. Amends TCA 49-2-301.

House Bill No. 0702 -- Election Laws -- Revises method for which candidates for county road supervisor qualify for office. Amends TCA 54-7-104.

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***House Bill No. 1173 -- Drivers' Licenses --** Revises definition of operators of commercial motor vehicles and classes of licenses; revises requirements for renewing expired licenses. Amends TCA, Title 55, Ch. 50.

On motion, House Bill No. 1173 was made to conform with Senate Bill No. 1300.

On motion, **Senate Bill No. 1300**, on same subject was substituted for House Bill No. 1173.

House Bill No. 0281 -- Education, State Board of -- Changes required meeting times. Amends TCA 49-1-301.

On motion, House Bill No. 281 was made to conform with Senate Bill No. 471.

On motion, **Senate Bill No. 471**, on same subject was substituted for House Bill No. 281.

***House Joint Resolution No. 0108 -- Memorials, Government Officials --** Requests fiscal review committee to provide data on potential savings with a more restrictive use of state owned vehicles.

House Joint Resolution No. 0024 -- Memorials, Government Officials -- Urges state institutions of higher learning to promote a program of conserving certain waste materials for recycling.

House Joint Resolution No. 0016 -- Sports -- Urges school superintendents to take measures necessary to reduce fighting and poor sportsmanship during high school athletic contests.

***House Joint Resolution No. 0107 -- Memorials, Government Officials --** Urges department of transportation to expedite repair or replacement of Metro Center Boulevard.

***House Bill No. 0988 -- Courts --** Establishes procedure for disposal of controlled substances and drug paraphernalia after disposal of cases, including such items as evidence. Amends TCA 53-11-409.

***House Bill No. 0987 -- Courts --** Exempts certain counties relative to disposal of physical evidence by clerks of court. Amends TCA 18-1-206.

House Joint Resolution No. 0156 -- Memorials, Personal Achievement -- Honors Linda England for her success in fish catching.

House Joint Resolution No. 0157 -- Memorials, Personal Occasion -- Honors Charles and Edith Vineyard on fiftieth wedding anniversary.

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House Joint Resolution No. 0159 -- Memorials, Professional Achievement -- Honors David Bohan on winning Nashville Advertising Federation's top award.

House Joint Resolution No. 0160 -- Memorials, Congratulations -- Congratulates Wayne County High School Band on performances as honor band in inauguration.

House Joint Resolution No. 0162 -- Naming and Designating -- Designates May 1, 1989 as "Ramp Festival Day".

House Joint Resolution No. 0164 -- Memorials, Congratulations -- Congratulates North Side High School academic decathlon team.

OBJECTION -- CONSENT CALENDAR

Objection was filed to the following on the Consent Calendar:

House Bill No. 701 was objected to by Rep. Chiles.

House Bill No. 702 was objected to by Rep. Chiles.

House Joint Resolution No. 108 was objected to by Rep. Chiles.

House Joint Resolution No. 24 was objected to by Rep. Chiles.

House Joint Resolution No. 16 was objected to by Rep. Chiles.

House Joint Resolution No. 107 was objected to by Rep. Chiles.

House Bill No. 988 was objected to by Rep. U. Jones.

House Joint Resolution No. 159 was objected to by Rep. Ellis.

Under the rules, House Bill(s) No(s). 701, 702, and 988; and House Joint Resolution(s) No(s). 108, 24, 16, 107 and 159; was/were reset to the foot of the Calendar for Wednesday, March 22, 1989.

Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.	99
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 99.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

*House Bill No. 0190 -- Real Property -- Revises requirements for managers of time share estates. Amends TCA 66-32-106, 107, 122.

Senate Amendment No. 1

Amend House Bill No. 190 by deleting item (14) in the original Section 3 in its entirety and by substituting instead the following:

(14) The managing agent shall be a licensed real estate firm or bonded agent. The principal broker/agent of the firm shall have control of the accounts required in Tennessee Code Annotated, Section 66-32-107(12), and shall enter into a tri-party agreement by and between the commission, the managing agent, and the depository institution, providing for the authority of the commission to access and inspect the account records at all times on behalf of the condominium homeowners' association.

Rep. Huskey moved that the House concur in Senate Amendment(s) No(s). 1, which motion prevailed by the following vote:

Ayes.	97
Noes.	0

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman,

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Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

***House Bill No. 0631** -- State Employees -- Includes judicial district drug task force members as state employees; records and identities confidential. Amends TCA 8-7-110, 8-42-101, 10-7-504.

Senate Amendment No. 2

Amend House Bill No. 631 by deleting Section 5 in its entirety and replacing it with the following:

Section 5. Notwithstanding any other provision of law to the contrary, concerning members of judicial district task forces relating to the investigation and prosecution of alleged drug violations, if a claim or suit should be filed against an individual, then upon proof that: (1) at the time of the alleged incident the individual was a member of such a task force who was properly certified to the board of claims pursuant to section 1 of this act, and (2) that the alleged liability arose out of the individual's activities as a task force member, it shall be conclusively deemed that the individual was not an employee, agent or servant of a local government but a volunteer to the state.

Rep. Naifeh moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes.	97
Noes.	0
Present and not voting.	2

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell,

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King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

Representatives present and not voting were: Coffey, Moody -- 2.

A motion to reconsider was tabled.

NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to **Rule No. 59**, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Wednesday, March 22, 1989:

House Bill No. 457: Rep. Hillis.

RULES SUSPENDED

Representative Pruitt moved to suspend **Rule No. 78**, so that House Bill No. 1451, having been filed after the tenth legislative day, be in order to be considered by the State and Local Government Committee, which motion prevailed by the following vote:

Ayes.	91
Noes.	0

Representatives voting aye were: Anderson, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton -- 91.

A motion to reconsider was tabled.

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RULES SUSPENDED

Rep. Naifeh moved to suspend **Rule No. 81(1)**, relative to the time for placing bills on notice in Committee, so that notice must be given by 1:00 p.m. Wednesday, March 22, for hearing the following week; and that Calendars must be posted by 4:30 p.m. on that Wednesday, which motion prevailed.

BILLS WITHDRAWN

On motion of Rep. Anderson, **House Bill No. 1454**, scheduled for second consideration on today, was withdrawn from the House.

RULES SUSPENDED

Rep. Winningham moved that the rules be suspended for the introduction and passage on first consideration of **House Bill No. 1468**, which motion prevailed.

House Bill No. 1468 -- Red Boiling Springs -- Revises charter. Amends Chapter 120, Private Acts of 1953, as amended. by *Winningham.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 196: Rep(s). Duer added as prime sponsor(s).

House Bill No. 463: Rep(s). Wheeler added as prime sponsor(s).

House Bill No. 654: Rep(s). Peroulas added as sponsor(s).

House Bill No. 700: Rep(s). Stallings added as prime sponsor(s).

House Bill No. 782: Rep(s). Kisber added as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 0167 -- Memorials, Sports -- Honors Bill Todd on selection as member of TSSAA Hall of Fame. by *Cain.

The Speaker referred **House Joint Resolution No. 167** to the Calendar and Rules Committee.

House Joint Resolution No. 0168 -- Memorials, Professional Achievement -- Commends John C. Howren, Jr. for his service to the Johnson City Board of Education. by *Good, *Robinson Ruth.

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The Speaker referred House Joint Resolution No. 168 to the Calendar and Rules Committee.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Senate Joint Resolution No. 0118 -- Memorials, Sports -- Congratulates White House High School band on performance at presidential inaugural.

The Speaker referred Senate Joint Resolution No. 118 to the Calendar and Rules Committee.

INTRODUCTION OF BILLS

House Bill No. 1457 -- Cumberland Gap -- Makes nonresident property owners ineligible to vote in town elections. Amends Chapter 210 of the Acts of 1907, as amended. by *Cross.

Passed first consideration.

***House Bill No. 1458** -- Highways, Roads and Bridges -- Exempts Tipton County from requirement that funds in certain amount be appropriated from local revenue sources for road purposes. Amends TCA 67-3-617. by *Naifeh.

Passed first consideration.

House Bill No. 1459 -- Kingsport -- Increases compensation of mayor, vice mayor and aldermen. Amends Chapter 76, Private Acts of 1917, as amended. by *Hubbard, *Givens, *Yelton.

Passed first consideration.

House Bill No. 1460 -- Kingsport -- Provides for filling vacancies in the office of mayor, vice Mayor or aldermen. Amends Chapter 76, Private Acts of 1917, as amended. by *Hubbard, *Givens, *Yelton.

Passed first consideration.

House Bill No. 1461 -- Kingsport -- Conforms conflict of interest provisions to state law. Amends Chapter 76, Private Acts of 1917. by *Hubbard, *Givens, *Yelton.

Passed first consideration.

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House Bill No. 1462 -- Kingsport -- Authorizes health and welfare benefits or insurance for officers and employees. Amends Chapter 76, Private Acts of 1917, as amended. by *Hubbard, *Givens, *Yelton.

Passed first consideration.

House Bill No. 1464 -- Henry County -- Changes jurisdiction of general sessions judge; makes office full time. Repeals Chapter 116, Private Acts of 1981, as amended. by *Ridgeway.

Passed first consideration.

**REPORT OF DELAYED BILLS COMMITTEE
March 16, 1989**

Pursuant to **Rule No. 78**, having received the approval of the legislative delegation, we the undersigned members of the Delayed Bills Committee have approved the following general bill of local application: House Bill No. 1458.

Ed Murray, Speaker
Jimmy Naifeh
John Chiles, Jr.

SENATE BILLS ON FIRST CONSIDERATION

***Senate Bill No. 0242** -- Budget Procedures -- Removes certain counties from County Budget Law of 1990. Amends TCA 5-22-116.

Held on the Clerk's desk pending third consideration of companion House Bill No. 203.

***Senate Bill No. 0652** -- Tennessee Housing Development Agency -- Removes exemption from mortgage bonds on low income housing construction projects. Amends TCA 7-60-102, 13-23-120, 121.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1001.

***Senate Bill No. 0665** -- Taxes, Agricultural and Open Spaces -- Establishes deadline for applications under Agricultural, Forest, and Open Space Land Act of 1976. Amends TCA 67-5-1005--1007.

Held on the Clerk's desk pending third consideration of companion House Bill No. 710.

***Senate Bill No. 0676** -- Mobile Homes and Manufactured Buildings -- Defines "mobile home park" for purposes of property assessments. Amends TCA 67-5-802.

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Held on the Clerk's desk pending third consideration of companion House Bill No. 814.

***Senate Bill No. 0682** -- Codes -- Reduces number of copies of certain codes city must maintain. Same as *SB 794/HB 491. Amends TCA 6-54-502, 503, 506.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1366.

***Senate Bill No. 0883** -- Election Laws -- Reduces the number of registered voters required to sign nominating petitions for candidates to political nominating conventions. Amends TCA 2-13-305.

Held on the Clerk's desk pending third consideration of companion House Bill No. 526.

***Senate Bill No. 1027** -- Budget Procedures -- Exempts certain counties from County Budget Law of 1990. Amends TCA, Title 5, Ch. 22.

Held on the Clerk's desk pending third consideration of companion House Bill No. 782.

Senate Bill No. 1467 -- Gibson County -- Establishes court administered safety program.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1463.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1453 -- Monroe County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1455 -- Murfreesboro -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1456 -- Murfreesboro -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 1463 -- Gibson County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

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SIGNED
March 20, 1989

The Speaker announced that he had signed the following: House Bill(s) No(s). 641; and House Joint Resolution(s) No(s). 140, 141 and 142.

MESSAGE FROM THE SENATE
March 20, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 429; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS
March 20, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 63, 357, 417 and 654; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
March 20, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 144 and 148; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 20, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 205, 208, 210, 211, 212, 216, 217, 223, 231, 254 and 1448; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE

March 20, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 123, 124, 125, 126, 128, 129, 130, 131, 133, 135, 136, 137, 138, 139, 140 and 141; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Senate Joint Resolution No. 0123 -- Memorials, Recognition and Thanks -- Honors Paul L. Teeple on his volunteer service to the people of Guatemala.

Senate Joint Resolution No. 0124 -- Memorials, Retirement -- Honors Clyde Webster of Trousdale County on his retirement.

Senate Joint Resolution No. 0125 -- Memorials, Public Service -- Honors McCoy Shelton for many contributions to Cookeville.

Senate Joint Resolution No. 0126 -- Memorials, Sports -- Congratulates Matt Bulow on his performance in the 1988 Paralympics in Seoul, Korea.

Senate Joint Resolution No. 0128 -- Memorials, Recognition and Thanks -- Recognizes Hendley family for their place in Tennessee's heritage.

Senate Joint Resolution No. 0129 -- Memorials, Condolence -- Honors memory of Fred Harlan Roberson.

Senate Joint Resolution No. 0130 -- Memorials, Professional Achievement -- Honors Walter N. Lambert on receipt of first annual Elizabeth Wells Memorial Award.

Senate Joint Resolution No. 0131 -- Memorials, Public Service -- Congratulates Wayne Fuson on receiving the 1988 Distinguished Volunteer award.

Senate Joint Resolution No. 0133 -- Memorials, Condolence -- Honors memory of Edward Eugene Loftin, former State Senator.

Senate Joint Resolution No. 0135 -- Memorials, Personal Achievement -- Honors Mrs. Linda Miller Mills.

Senate Joint Resolution No. 0136 -- Memorials, Professional Achievement -- Honors Gregory Berkeley Anderson.

Senate Joint Resolution No. 0137 -- Memorials, Recognition and Thanks -- Honors Carrie Littlejohn Harris, President of Memphis Education Association.

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Senate Joint Resolution No. 0138 -- Memorials, Recognition and Thanks -- Honors Florine Hinds on her service to West Tennessee.

Senate Joint Resolution No. 0139 -- Memorials, Professional Achievement -- Honors Elton Cummings.

Senate Joint Resolution No. 0140 -- Memorials, Professional Achievement -- Honors Dr. Denise Melia Buntin.

Senate Joint Resolution No. 0141 -- Memorials, Public Service -- Honors Judge Bernice Bouie Donald, U. S. Bankruptcy Court Judge, in Memphis.

**MESSAGE FROM THE SENATE
March 20, 1989**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 115, 150, 226, 333, 334, 474, 558, 567, 708 and 1457; passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

***Senate Bill No. 0115 -- Insurance, Health, Accident -- Includes mammography coverage in certain insurance policies. Amends TCA, Title 56, Ch. 7.**

***Senate Bill No. 0150 -- Trusts -- Revises certain trust provisions and the Prudent Man Rule. Amends TCA, Title 35, Ch. 3, 35-3-114, 117; Title 35, Ch. 50.**

***Senate Bill No. 0226 -- Courts, Jurisdiction -- Increases jurisdictional amount in general sessions court for certain causes of action. Amends TCA 29-30-211.**

***Senate Bill No. 0333 -- Textbooks -- Authorizes LEA to spend certain funds for other specialized materials in addition to consumable workbooks. Amends TCA 49-3-310.**

***Senate Bill No. 0334 -- Teachers -- Changes terminology of "teacher aide" to "educational assistant". Amends TCA 49-2-203, 49-2-301, 303, 49-3-306.**

***Senate Bill No. 0474 -- Teachers -- Enacts "Education Truth in Reporting and Employee Protection Act of 1989". Amends TCA, Title 49.**

***Senate Bill No. 0558 -- Education -- Prohibits discrimination against certain students who receive hospital or homebound instruction. Amends TCA, Title 49.**

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*Senate Bill No. 0567 -- Insurance Companies, Agents, Brokers -- Revises fee to be paid on liquidation of certain insurance companies. Amends TCA 56-9-123.

*Senate Bill No. 0708 -- Insurance Companies, Agents, Brokers -- Provides for industrial insured captive insurance companies. Amends TCA, Title 56, Ch. 13.

*Senate Bill No. 1457 -- Teachers -- Allows creation of sick leave bank for teachers in Obion County to become effective at times other than August 1. Amends TCA, Title 49, Ch. 5, Pt. 8.

ENGROSSED BILLS
March 20, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 269, 271, 691, 700, 899 and 967; and House Joint Resolution(s) No(s). 152; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
March 20, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 16, 60, 300, 633, 641, 729, 934 and 1446; also, House Joint Resolution(s) No(s). 140, 141, 142, 161 and 163; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
March 20, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 148, 162, 199, 320 and 322; also, Senate Joint Resolution(s) No(s). 108, 109, 110, 112, 113, 114, 115 and 147; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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ENGROSSED BILLS
March 20, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 987; and House Joint Resolution(s) No(s). 156, 157, 160, 162 and 164; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
March 20, 1989

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1453, 1455, 1456 and 1463.

REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
March 20, 1989

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Wednesday, March 22, 1989: House Joint Resolution(s) No(s). 167 and 168; House Bill(s) No(s). 1453, 1455, 1456 and 1463; and Senate Joint Resolution(s) No(s). 118.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 99

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington),

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Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 99.

On motion of Rep. Naifeh, the House adjourned until 2:00 p.m., Wednesday, March 22, 1989.